

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED	OCT 17 2007
JOHN F. CORCORAN, CLERK BY: <i>[Signature]</i> DEPUTY CLERK	

MANUEL RAUL REYO PENA)
GARCIA MONTERO'S,)
Petitioner,) Civil Action No. 7:07-cv-00461
)
v.) MEMORANDUM OPINION
)
GOV. OF VIRGINIA, PRES. USA,) By: Hon. James C. Turk
Respondent(s).) Senior United States District Judge
)

Petitioner, a federal inmate proceeding pro se, brings this action as a petition for a writ of habeas corpus, pursuant to 28 U.S.C. §2241. Upon consideration of the petition, however, the court is of the opinion that it should be filed and summarily dismissed without prejudice for lack of jurisdiction.

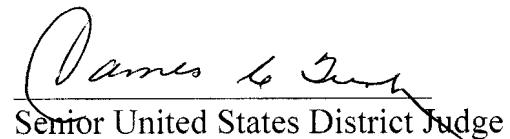
Petitioner is incarcerated at the United States Penitentiary in Leavenworth, Kansas. On the section of the §2241 form entitled "Grounds for Relief," this petition states nothing more than nonsensical phrases and numbers.¹ Attached to the petition is a copy of an order from the Executive Office for Immigration Review in Chicago, Illinois, regarding "in post-order custody proceedings" pending before that body. As relief in this action, petitioner states that he seeks "Inmediate [sic] Order of Constitutional injuction [sic] Say That UnPresident of the United States."

¹For example, Ground 1 reads, verbatim: "/John Adams Damn hall buggus 'CONGRESSIONAL WRIT's OF ELECTION 1823-24 'THAT GOT SEXY JOHN Q. ADAMS TO THE MISSISSIPPI HOUSE Aha."

Generally, a prisoner may seek judicial review of his confinement under 28 U.S.C. § 2241 only in the district court with jurisdiction over the facility in which he is confined. In re Jones, 226 F.3d 328, 332 (4th Cir. 2000). Petitioner in this case is not confined within the jurisdiction of this court. Furthermore, he states no basis for this court's jurisdiction over his person or the nonsensical claims set forth here, and the court finds none. If petitioner actually has some claims concerning the validity of his confinement that are actionable under §2241, he may submit such a petition to the United States District Court for the District of Kansas, the court with jurisdiction over the prison where he is currently housed is; the court has a division in Leavenworth. This court, however, must dismiss his current petition without prejudice for lack of jurisdiction. An appropriate order shall be issued this day.

The Clerk of the Court is directed to send copies of this memorandum opinion and final order to petitioner.

ENTER: This 17th day of October, 2007.



Senior United States District Judge